UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,818	11/13/2003	Takehiro Nakayama	245395US90	7869

22850	7590	01/12/2007

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
HUYNH, CHUCK

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1.   The Art Unit location of your application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this

application should be directed to Art Unit 2617.

Response to Amendment

1.   Claims 1, 12 and 13 are amended.

Response to Arguments

1.   Applicant's arguments with respect to claims 1-13 have been considered but are

moot in view of the new ground(s) of rejection.

Wheeler discloses a value entity as an account number used for authentication

and requesting services. Once authenticated, the brokerage firm sends application data

to the PDA for display and for user to use and access ([0195]-[0203]). Specifically, the

PDA displays a menu of available transactions, such as making a purchase of a security

[0200]; furthermore, the PDA will compose an electronic message to the brokerage firm

of the purchasing of a security and a sale amount equivalent to the security along with

the account number. This operation is part of the menu application, which is

downloaded and received from the brokerage firm [0200] and used to make the

purchase, by composing and transmitting of an electronic message that includes a sale

amount of a particular security.

purchase, by composing and transmitting of an electronic message that includes a sale

amount of a particular security.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claim 1, 2, 5, and 7-13 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Wheeler et al. (US 2002/0026575; hereinafter Wheeler) in view

of Craft et al. (US 2002/0150243; hereinafter Craft)

Regarding claim 1, Wheeler discloses a communication terminal comprising:

acquiring means for acquiring a value entity (an account number) accompanied

by a public key corresponding to a private key, the value entity usable as a charge

([0203]) in electronic procurement ([0113], [0124], [0195]-[0200], [0207]-[0212]);

receiving means for receiving an application (application use on PDA to access

account information received from brokerage firm) electronically signed by the private

key ([0195]-[0203], specifically [0200]), through an ad hoc (wireless communication

medium: [0114]) network, the application for transmitting the value entity of an amount

equivalent to a consideration of a commodity or service to a device external to the

communication terminal when purchasing the commodity or service ([0200]: specifically,

the PDA displays a menu of available transactions, such as making a purchase of a security [0200]; furthermore, the PDA will compose an electronic message to the brokerage firm of the purchasing of a security and a sale amount equivalent to the security along with the account number. This operation is part of the menu application, which is downloaded and received from the brokerage firm [0200] and used to make the purchase, by composing and transmitting of an electronic message that includes a sale amount of a particular security);

verifying means for verifying the application through use of the public key ([0212]; [0195]-[0203]); and

transferring means for transferring value entity to conduct electronic procurement through the ad hoc (wireless communication medium: [0114]) network to a device external to the communication terminal (transmitted wirelessly to the brokerage firm) by the use of the application when the verifying means successfully verifies the application ([0195]-[0203], specifically [0200]).

Wheeler discloses all the particulars of the limitations (even a wireless communication network), but is unclear about an ad hoc network.

However, Craft does disclose a PDA communicating within a wireless network, which is an ad hoc network (Page 3, [0026]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Craft's disclosure to provide wireless communication and connectivity.

Regarding claim 2, Wheeler discloses the communication terminal according to Claim 1, wherein the verifying means initiates verification of the application in conjunction with an opportunity where the receiving means receives the application ([0198]-[0200], [0207]-[0210], [0212]), and

the communication terminal further comprises starting means for starting the application in conjunction with an opportunity where the verifying means successfully verifies the application (accessing the account with the program/software data from brokerage firm at PDA after verification and performing transaction ([0195]-[0203], specifically [0200])).

Regarding claim 5, Wheeler discloses a all the particulars of the claim such as a value entity providing server (account number database [0014]) comprising providing means for providing a value entity accompanied by a public key corresponding to a specific private key, through a cellular network, for the communication terminal as set forth in claim 1 (Fig. 2; [0144], [0205] discloses a cellular cell phone).

Regarding claim 7, Wheeler discloses the value entity providing server according to Claim 5, wherein the public key is posted on a server accessible from a plurality of terminals through the cellular network ([0356]).

Regarding claim 8, Wheeler discloses the value entity providing server according to Claim 5, further comprising second verifying means for verifying integrity of the communication terminal before the providing means provides the value entity ([0357]).

Regarding claim 9, Wheeler discloses an application delivery server comprising:

application transmitting means for transmitting the application through the ad hoc network to the communication terminal as set forth in Claim 1 (transmitting from brokerage firm to PDA [0195]-[0203], specifically [0200]); and

value entity acquiring means for acquiring the value entity transferred by the transferring means of the communication terminal, through the ad hoc network (transferring account number from PDA to brokerage firm for verification purposes [0195]-[0203], specifically [0200]).

Wheeler discloses all the particulars of the limitations (even a wireless communication network), but is unclear about an ad hoc network.

However, Craft does disclose a PDA communicating within a wireless network, which is an ad hoc network (Page 3, [0026]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Craft's disclosure to provide wireless communication and connectivity.

Regarding claim 10, Wheeler discloses all the particulars of the system except the application delivery means server according to claim 9, further comprising:

receipt transmitting means for, when the value entity acquiring means acquires the value entity, transmitting receipt data electronically expressing receipt of the value entity (authenticating and responding to PDA when authenticated [0202]), via the ad-hoc network to the communication terminal.

Wheeler discloses all the particulars of the limitations (even a wireless communication network), but is unclear about an ad hoc network.

However, Craft does disclose a PDA communicating within a wireless network, which is an ad hoc network (Page 3, [0026]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Craft's disclosure to provide wireless communication and connectivity.

Regarding claim 11, Wheeler discloses all the particulars of the claim except the application delivery server according to Claim 9, further comprising third verifying means (Factor B verification: PIN [0199]) for verifying integrity of the communication terminal before the transmitting means transmits the application ([0202]).

Regarding claim 12, Wheeler discloses an electronic procurement supporting method comprising:

acquiring a value entity (an account number) accompanied by a public key corresponding to a private key, the value entity usable as a charge ([0203]) in electronic procurement ([0113], [0124], [0195]-[0200], [0207]-[0212]);

receiving an application (application use on PDA to access account information

received from brokerage firm) electronically signed by the private key ([0195]-[0203],

specifically [0200]), through an ad hoc (wireless communication medium: [0114])

network, the application for transmitting the value entity of an amount equivalent to a

consideration of a commodity or service to a device external to the communication

terminal when purchasing the commodity or service ([0200]: specifically, the PDA

displays a menu of available transactions, such as making a purchase of a security

[0200]; furthermore, the PDA will compose an electronic message to the brokerage firm

of the purchasing of a security and a sale amount equivalent to the security along with

the account number. This operation is part of the menu application, which is

downloaded and received from the brokerage firm [0200] and used to make the

purchase, by composing and transmitting of an electronic message that includes a sale

amount of a particular security);

verifying the application through use of the public key ([0212]; [0195]-[0203]); and

transferring the value entity to conduct procurement through the ad hoc (wireless

communication medium: [0114]) network to a device external to the communication

terminal (transmitted wirelessly to the brokerage firm) by use of the application when the

application is successfully verified ([0195]-[0203], specifically [0200]).

Wheeler discloses all the particulars of the limitations (even a wireless

communication network), but is unclear about an ad hoc network.

However, Craft does disclose a PDA communicating within a wireless network,

which is an ad hoc network (Page 3, [0026]).

It would have been obvious to one ordinarily skilled in the art at the time of

invention to incorporate Craft's disclosure to provide wireless communication and

connectivity.

Regarding claim 13, Wheeler discloses an electronic procurement supporting

program, which can be executed by a communication terminal, the electronic

procurement supporting program performing steps comprising:

acquiring a value entity (an account number) accompanied by a public key, the

value entity usable as a charge ([0203]) in electronic procurement ([0113], [0124],

[0195]-[0200], [0207]-[0212]);

receiving an application (application use on PDA to access account information

received from brokerage firm) signed by the private key ([0195]-[0203], specifically

[0200]), through an ad hoc (wireless communication medium: [0114]) network, the

application for transmitting the value entity of an amount equivalent to a consideration of

a commodity or service to a device external to the communication terminal when

purchasing the commodity or service ([0200]: specifically, the PDA displays a menu of

available transactions, such as making a purchase of a security [0200]; furthermore, the

PDA will compose an electronic message to the brokerage firm of the purchasing of a

security and a sale amount equivalent to the security along with the account number.

This operation is part of the menu application, which is downloaded and received from

the brokerage firm [0200] and used to make the purchase, by composing and

transmitting of an electronic message that includes a sale amount of a particular

security);

verifying the application through use of the public key ([0212]; [0195]-[0203]); and

transferring the value entity to conduct electronic procurement through the ad

hoc (wireless communication medium: [0114]) network to a device external to the

communication terminal (transmitted wirelessly to the brokerage firm) by use of the

application when the application is successfully verified ([0195]-[0203], specifically

[0200]).

Wheeler discloses all the particulars of the limitations (even a wireless

communication network), but is unclear about an ad hoc network.

However, Craft does disclose a PDA communicating within a wireless network,

which is an ad hoc network (Page 3, [0026]).

It would have been obvious to one ordinarily skilled in the art at the time of

invention to incorporate Craft's disclosure to provide wireless communication and

connectivity.

1.   **Claim 3, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over**
Wheeler in view of Craft further in view of Anderson et al. (hereinafter Anderson).

Regarding claim 3, Wheeler in view of Craft discloses all the particulars of the

claim except the communication terminal according to claim 1, further comprising:

deleting means for deleting the application in conjunction with an opportunity where a predetermined time has elapsed since a time when the receiving means received the application.

However, Anderson does disclose deleting means for deleting the application in conjunction with an opportunity where a predetermined time has elapsed since a time when the receiving means received the application (Page 17, [0435, 0436]).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Anderson's disclosure to provide certain time limit to application usage.

Regarding claim 4, it is well known in the art that the communication terminal according to claim 1, that once an application is downloaded from a sender, the process is completed, which entails the disconnection from the downlink connection; therefore it is well known in the art that deleting means for, where a communication with a sender of the application is disconnected after the reception of the application by the receiving means; however, Wheeler in view of Craft discloses all the particulars of the claim except the fact that deleting the application in conjunction with an opportunity where predetermined time has elapsed since the disconnection of the communication, which pertains to a trial period since the application was downloaded.

Anderson does disclose deleting the application in conjunction with an opportunity where predetermined time has elapsed since the disconnection of the

communication, which pertains to a trial period since the application was downloaded
(Page 17, [0435, 0436]).

It would have been obvious to one ordinarily skilled in the art at the time of
invention to incorporate Anderson's disclosure to provide certain time limit to application
usage.

2.   **Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Wheeler in view of Craft in further of Dwork.**

Regarding claim 6, Wheeler in view of Craft discloses all the particulars of the
claim except that the value entity providing server according to Claim 5, wherein the
providing means transmits the public key separately from the value entity to the
communication terminal, prior to the provision of the value entity.

However, Dwork does disclose the value entity providing server according to
Claim 5, wherein the providing means transmits the public key separately from the value
entity to the communication terminal, prior to the provision of the value entity (Col 5,
lines 40-50; Col 6, lines 15-19).

It would have been obvious to one ordinarily skilled in the art at the time of
invention to incorporate Dwork's disclosure to provide more security to the system, to
prevent fraudulent eavesdroppers.

Conclusion

3.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chuck Huynh whose telephone number is 571-272-

7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dực Nguyen can be reached on 571-272-7503. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chuck Huynh

DUC M. NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600